



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

*Call
copy*

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SEP 15 2008

Ref: EPR-SR

Richard H. Opper
Director
Montana Department of Environmental Quality
P.O. Box 200901
Helena, MT 59620-0901

Richard
Dear Mr. ~~Opper~~:

My staff and I have carefully reviewed your letter of September 5, 2008, regarding the Environmental Protection Agency's (EPA) removal actions now underway in three creeks within the Libby Asbestos Superfund site. Last week I first became aware of the State's concerns about this work which has been planned since March 2008. During a September 3, 2008, conference call with my staff and State officials, we learned the specific nature of these concerns. I am encouraged that the call, and other materials provided to the State via email, have allayed most of your concerns. As I understand it from your letter, there is one remaining concern - the permanence of the removal action on Granite and Callahan Creeks and the responsibility for long-term maintenance of the rehabilitated levees. In the case of Flower Creek, EPA plans to remove all the contaminated material.

In our research into the levee situation, we found out the following facts. After serious flooding during the winter of 1995-96, Lincoln County and the U.S. Army Corps of Engineers (USACE) undertook flood control and stream bed stabilization efforts in the summer of 1996. Repair work was performed on damaged levees. In carrying out this work, Lincoln County provided transportation of rip-rap material containing amphibole asbestos from Zonolite Mountain.

Since the September 3 conference call and your September 5 letter, we have had discussions with the USACE in order to better understand the future of the levees. There is an April 25, 2008, Cooperation Agreement between Lincoln County and USACE that addresses the Granite Creek levee. Enclosed with this letter is a copy of that agreement.

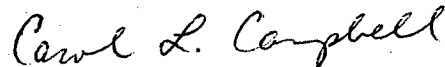
Your letter noted that the current actions are being done as Time-Critical Removals, in response to real concerns about children being exposed to amphibole asbestos as they play in the creeks. In 2007, an EPA investigation found that exposure to total amphibole fibers reached 3.8 f/cc during the building of a small "dam," a typical summer activity for children in Libby. As a result, warning signs were posted. However, this may not be an effective, long-term deterrent to prevent this exposure. Consequently, we believe we should move forward with implementation of the removal actions in the creeks.

Finally, it is important to remember that the current removal actions will be evaluated during the remedial investigation for the Libby Asbestos site. If it is determined that the levee rehabilitation work performed under removal authority does not meet the goals of the selected remedy, then additional work could be done. Since we have not yet completed the baseline risk assessment for the site, it is premature to speculate what the final remedy may encompass, or what future operation and maintenance (O&M) activities will need to be performed. In any case, removal actions do not necessarily subject the State to any responsibility for future O&M of the final remedial action.

We appreciate your concern for the people of Lincoln County and your continuing interest in EPA's cleanup efforts at the Libby Asbestos Superfund site. If you or your staff would like additional information, please contact me or Bill Murray, Director of the Superfund Remedial Program, at 303-312-6104.

Enclosure

Sincerely,

A handwritten signature in cursive script that reads "Carol L. Campbell".

Carol L. Campbell
Assistant Regional Administrator
Office of Ecosystems Protection
and Remediation